

CHRISTOPHER W. MIXSON, ESQ. (SBN 10685)
KEMP JONES LLP
3800 Howard Hughes Parkway, Suite 1700
Las Vegas, NV 89169
Phone: (702) 385-6000
c.mixson@kempjones.com

SCOTT LAKE (SBN 15765)
CENTER FOR BIOLOGICAL DIVERSITY
P.O. Box 6205
Reno, NV 89513
Phone: (802) 299-7495
slake@biologicaldiversity.org

RYAN A. SHANNON (SBO 155537) (admitted *Pro Hac Vice*)
CENTER FOR BIOLOGICAL DIVERSITY
P.O. Box 11374
Portland, OR 97211
Phone: (503) 283-5474 ext. 407
rshannon@biologicaldiversity.org

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CENTER FOR BIOLOGICAL DIVERSITY,

Plaintiff,

vs.

DEBRA HAALAND et al.,

Defendants,

and

LEE CANYON SKI LIFTS, INC.,

Defendant-Intervenor

Case No. 2:20-cv-02131-RFB-DJA

**FOURTH STIPULATION AND
[PROPOSED] ORDER FOR
EXTENSION OF THE BRIEFING
SCHEDULE**

Pursuant to Fed. R. Civ. P. 6(b) and LR IA 6-1, Plaintiff CENTER FOR BIOLOGICAL DIVERSITY, by and through its attorneys; and Federal Defendants DEBRA HAALAND, in her official capacity as Secretary of the U.S. Department of the Interior, MARTHA WILLIAMS, in her

1 official capacity as Principal Deputy Director of the U.S. Fish and Wildlife Service, GLEN
 2 KNOWLES, in his official capacity as Field Supervisor of the Southern Nevada Fish and Wildlife
 3 Office; U.S. FISH AND WILDLIFE SERVICE; WILLIAM DUNKELBERGER, in his official
 4 capacity as Humboldt-Toiyabe National Forest Supervisor, and the U.S. FOREST SERVICE
 5 (collectively “Federal Defendants”), by and through their attorneys; and Defendant-Intervenor LEE
 6 CANYON SKI LIFTS, INC., by and through its attorneys, hereby stipulate to an extension of the
 7 briefing schedule. Plaintiff’s motion for summary judgment is currently due on October 19, 2021.
 8
 9 See ECF 37 at 1-2. This is the fourth stipulation for an extension of time for the briefing schedule.

10 The parties propose the following briefing schedule in place of the current one:

- 11 1. Deadline for Plaintiff to file its motion for summary judgment, which will be limited to 45
 12 pages: December 14, 2021
- 13 2. Deadline for Federal Defendants to file their response to Plaintiff’s motion, and any cross-
 14 motion for summary judgment, which brief will be limited to 40 pages: January 11, 2022
- 15 3. Deadline for Defendant-Intervenor to file its response to Plaintiff’s motion, and any cross-
 16 motion for summary judgment, which brief will be limited to 30 pages: February 1, 2022
- 17 4. Deadline for Plaintiff to file its combined response and reply, which brief will be limited to
 18 40 pages: March 1, 2022
- 19 5. Deadline for Federal Defendants to file any reply, which brief will be limited to 25 pages:
 20 April 4, 2022
- 21 6. Deadline for Defendant Intervenor to file any reply, which brief will be limited to 20 pages:
 22 April 18, 2022

23 This stipulation is warranted because settlement discussions between the parties are
 24 continuing. The parties would like to bring this matter to conclusion without further litigation, if
 25 possible, and believe that more productive settlement discussions would be facilitated by an
 26
 27
 28

1 extension of the current briefing schedule. The parties acknowledge that this is the fourth stipulated
2 request for an extension of the briefing schedule. However, the parties represent that they continue to
3 work together in good faith to find a mutually acceptable resolution in the most timely fashion
4 practicable.

5
6 Dated: October 18, 2021

Respectfully submitted,

7 /s/ Scott Lake

8 Scott Lake

9 Nevada Bar No. 15765

Center for Biological Diversity

10 P.O. Box 6205

11 Reno, NV 89513

(802) 299-7495

12 slake@biologicaldiversity.org

13 *Counsel for the Center for Biological Diversity*

14
15 TODD KIM

Assistant Attorney General

16 /s/ Taylor A. Mayhall

17 Taylor A. Mayhall, Trial Attorney

18 MN Bar No. 0400172

Environment & Natural Resources Division

19 Wildlife & Marine Resources Section

P.O. Box 7611

20 Washington, D.C. 20044

21 Tel. (202) 598-3796

taylor.mayhall@usdoj.gov

22 PAUL G. FREEBORNE, Trial Attorney

23 VA Bar No. 33024

Natural Resources Section

24 P.O. Box 7611

25 Washington, D.C. 20044

26 Tel: (202) 532-5271

paul.freeborne@usdoj.gov

27 BRIDGET K. MCNEIL, Senior Trial Attorney

28 CO Bar No. 34299

Wildlife and Marine Resources Section
999 18th St., South Terrace, Suite 370
Denver, CO 80202
Tel: (303) 844-1484
bridget.mcneil@usdoj.gov

Attorneys for Federal Defendants

/s/ Amy F. Sorenson

AMY F. SORENSON
Snell & Wilmer, LLP
3883 Howard Hughes Parkway
Suite 1100
Las Vegas, NV 89169
Tel: 801-257-1907
Fax: 801-257-1800
Email: asorenson@swlaw.com

KELLY H. DOVE
Snell & Wilmer LLP
3883 Howard Hughes Parkway
Las Vegas, NV 89169
(702) 784-5200
Fax: (702) 784-5252
Email: kdove@swlaw.com

Attorneys for Defendant-Intervenor

IT IS SO ORDERED.

DATED: October 18, 2021.


RICHARD E. BOULWARE, II
United States District Court

CERTIFICATE OF SERVICE

I hereby certify that today I electronically filed the foregoing FOURTH STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF THE BRIEFING SCHEDULE with the Clerk of the Court using the CM/ECF system, which will send notification of such upon all attorneys of record.

Dated this 18th day of October, 2021.

/s/ Scott Lake

Scott Lake